

IN THE UNITED STATES DISTRICT COURT FOR THE

WESTERN DISTRICT OF LOUISIANA

LOUISIANA DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
Vs.)
CATAHOULA PARISH SCHOOL)
BOARD, et al.,)
Defendants.)

)

U. S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
FILED

CIVIL ACTION
NO. 14430

JUL 3 1970

ALTER L. CURTIS, CLERK

Dept.

MOTION FOR AN ORDER
AMENDING THE SCHOOL DESEGREGATION PLAN AND NOTICE

TO: UNITED STATES through DEPARTMENT OF JUSTICE

Please take notice that on the _____ day of _____, 1970,
at _____ O'clock __.M., or as soon thereafter as counsel may be heard
in the Court Room of the United States District Court from the Western
District of Louisiana, at _____, Louisiana, the defendant, Catahoula
Parish School Board, will move the Court to grant supplementary relief in
the form of an amendment to the desegregation plan and order embodied in
its decree of 29 July, 1969. The amendment sought would retain the
original order in full force and effect as to all schools in Catahoula
Parish, except those in the Jonesville and Sicily Island communities.
The amendment in the Jonesville and Sicily Island communities would change
the grade assignments to the various school plants in order that better
use could be made of the physical facilities available and so that in
each community, the School Board could establish one elementary school,
one junior high school and one high school.

In support of this Motion, the defendant annexes hereto as
Exhibit "A" the proposed amended order and submits its memorandum.

Respectfully submitted this 30 day of July, 1970.

W. C. FALKENHEINER, DISTRICT ATTORNEY
Attorney for Catahoula Parish School
Board, et al.
Telephone: 336-5526 & 336-5272
Box 308, Vidalia, Louisiana 71373

BY:

GEORGE GRIFTING, ASSISTANT District
Attorney, P. O. Box 97, Jonesville,
Louisiana 71343, Telephone: 339-7974

IN THE UNITED STATES DISTRICT COURT FOR THE

WESTERN DISTRICT OF LOUISIANA

ALEXANDRIA DIVISION

U. S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
FILED

UNITED STATES OF AMERICA,)
Plaintiff,)
VS.)
CATAHOULA PARISH SCHOOL)
BOARD, et al.,)
Defendants.)

CIVIL ACTION - NO. 14430

JUL 31 1970
ALTON M. CURTIS, CLERK
By: _____
Dep't

MEMORANDUM IN SUPPORT OF
DEFENDANT'S MOTION FOR SUPPLEMENTARY RELIEF
IN THE FORM OF AMENDED DESEGREGATION ORDER

The Catahoula Parish School Board was placed under Court Order to desegregate on 29 July, 1969. A copy of this original desegregation Order is annexed hereto as Exhibit #1.

The Catahoula Parish School System has operated under this Court Order for the 1969-70 school period. During this time, the School Board has had the opportunity to further consider the use of its physical facilities, for the purpose of more efficient operation of the system and to provide better education for the students. Experience of operating the system for one year under the Court Order has indicated that the Board can provide better education by slight revisions in its grade assignments to the various school plants. No changes whatsoever are proposed in so far as intergration per se is concerned.

The proposed amended order also makes no change whatsoever in the school systems at Harrisonburg, Manifest, Enterprise and Central, all of which would operate as originally contemplated. In the Sicily Island and Jonesville areas, which contain the two largest schools, the Board and its staff are of the opinion that the educational needs of the students would be better served by establishing elementary, junior high, and high schools in those areas. To do this, it will be necessary that some restructuring of the various grades, assigned to the school, be done. This plan would also allow the Board to discontinue use of some of its older and antiquated facilities.

In Jonesville, the Board proposes that the Block High School be composed of grades 9 through 12 (the original plan contemplated

grades 8 through 12.)

The Jonesville Consolidated School, to be designated Jonesville Junior High, would be grades 6 through 8 (the original plan calls for grades 5 through 7).

The Jonesville Elementary School would be grades 1 through 5 (the original plan called for grades 1 through 4).

In Sicily Island, the School Board proposes that Sicily Island High School be composed of grades 9 through 12 (no change from the original Order).

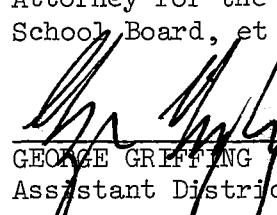
The Martin School, to be designated Martin Junior High, would be grades 5 through 8 (this has changed from grades 1 through 6).

The Sicily Island Elementary School, which was formerly a part of Sicily Island High School, will be grades 1 through 4 (this school was originally included in the Sicily Island High School complex and handled grades 7 through 8, while the High School itself handled grades 9 through 12).

Comparison of the proposed amended Order, which is annexed as Exhibit "A" to the Motion with the original Order of 29 July, 1969, which is annexed as Exhibit #1 to this memorandum would show that the proposed changes are slight and are purely mechanical in nature and in the opinion of the Board, would provide better educational opportunities for all of the students.

W. C. FALKENHEINER
District Attorney
Attorney for the Catahoula Parish
School Board, et al.

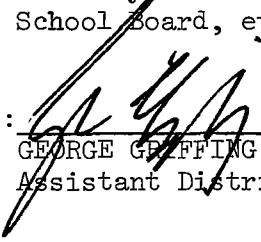
BY:


GEORGE GRIFFING
Assistant District Attorney

CERTIFICATE OF SERVICE

I certify that on 30 July 1970, I served the foregoing Motion for Supplementary Relief and supporting memorandum upon the plaintiff, United States, by mailing copies thereof by United States Air Mail, postage prepaid, to Department of Justice, Civil Rights Division, Washington D. C. 20530, and the United States Attorney, Western District of Louisiana, Shreveport, Louisiana.

W. C. FALKENHEINER
District Attorney
Attorney for Catahoula Parish
School Board, et al.

BY: 
GEORGE GRIFFING,
Assistant District Attorney

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
VS.) CIVIL ACTION - NO. 14430
)
CATAHOULA PARISH SCHOOL)
BOARD, et al.)
)
Defendants.)
)

AMENDED DECREE

The Court, having considered the original Decree issued herein on 29 July, 1969, the Motion for Supplementary Relief in the form of an amendment filed by the defendant, Catahoula Parish School Board, now finds:

1. That the amendments proposed by Catahoula Parish School Board are acceptable and will assist in disestablishing the former dual school system and assist the defendant in meeting its constitutional obligations.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the original Decree issued herein on 29 July, 1969 remain in full force and respect, except only for the following changes affecting Jonesville and Sicily Island, to-wit:

All children in the Jonesville area in grades 9 through 12, regardless of race, shall be assigned to Block High School. All children in grades 6 through 8, regardless of race, shall be assigned to Jonesville Consolidated School to be redesignated Jonesville Junior High School. All children in grades 1 through 5, regardless of race, shall be assigned to Jonesville Elementary School. Alternatively, at the option of the School Board, all children in grades 6 through 12, regardless of race, shall be assigned to Block High School and Jonesville Consolidated School: One being an all female school and the other being all male school.

In the Sicily Island area, all children in grades 9 through 12, regardless of race, shall be assigned to Sicily Island High School. All children, regardless of race, in grades 5 through 8, shall be assigned to the Martin School, to be designated Martin Junior High School.

All children grades 1 through 4, regardless of race, shall be assigned to Sicily Island Elementary School. Alternatively, at the option of the School Board, the Martin School may be designated as all female for all girls, regardless of race, grades 1 through 12, and Sicily Island High School and Elementary School shall be designated as all male school for all boys, regardless of race, grades 1 through 12.

THUS DONE AND SIGNED, in Chambers, in Lake Charles, Louisiana on this the _____ day of July, 1970.

JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF LOUISIANA

ALEXANDRIA DIVISION

UNITED STATES OF AMERICA,)	CIVIL ACTION NO. 14430
Plaintiff,)	
v.)	
CATAHOULA PARISH SCHOOL BOARD, et al.,)	
Defendants.)	

D E C R E E

The Court, having considered the school desegregation plans filed in this cause by The Catahoula Parish School Board and the Office of Education, Department of Health, Education and Welfare, now finds:

1. The school desegregation plan proposed by The Catahoula Parish School Board conforms with the requirements imposed upon the defendants by the Fourteenth Amendment to the Constitution of the United States and is designed to, and will, disestablish the defendants' dual school system.
2. The plan proposed and filed by the plaintiff is unworkable and is therefore rejected; now therefore,

It is ORDERED, ADJUDGED AND DECREED that the defendants, their agents, officers, employees and successors and all those in active concert and participation with them be and they are permanently enjoined from discriminating on the basis of race or color in the operation of The Catahoula Parish School System. As set out more particularly in the body of the decree, they shall take affirmative action to disestablish all school segregation and to eliminate the effects of the dual school system:

I.

SPEED OF DESEGREGATION

Commencing with the 1969-70 school year, in accordance with this decree, the schools of Catahoula Parish shall be desegregated as follows:

All first grade children, regardless of race, in Ward Six, Jonesville, Louisiana, are to be assigned to the Jonesville Elementary School.

All eighth grade students, regardless of race, in Ward Six, Jonesville, Louisiana, are to be assigned to Block High School, Jonesville, Louisiana.

All children in the first and second grades, regardless of race, in Wards One and Two, are to be assigned to the Sicily Island Elementary School.

All children, regardless of race, in Ward Five, are to be assigned to the Harrisonburg High School.

All children living in Ward Four, regardless of race, from grades one through eight will be assigned to the Manifest Elementary School.

All faculties of all schools are to be integrated so that five Negro teachers will be assigned to Block High School; two Negro teachers to Enterprise High School; two Negro teachers to Central High School; three Negro teachers to Harrisonburg High School; one Negro teacher to Manifest Elementary School; four Negro teachers to Jonesville Elementary School; three Negro teachers to the Sicily Island High School. White teachers shall be assigned to the Jonesville Consolidated High School and the Martin High School to replace the Negro teachers where vacancies occur as a result of Negro teachers being transferred to white schools. This shall be done according to the number of teachers needed and the availability of white teachers.

II.

Commencing with the 1970-71 school session, the schools of Catahoula Parish shall be fully integrated in the following manner:

The Sicily Island area (Wards One and Two), all children in grades one through six, regardless of race, are to be assigned to the Martin High School, and all children in grades seven through twelve, regardless of race, are to be assigned to the Sicily Island High School, or in the alternative at the option of the school board, Martin High School shall be an all female school for grades one through twelve, regardless of race, and that Sicily Island High School shall be an all male school for grades one through twelve, regardless of race.

In the Jonesville area (Ward Six), all children in grades one through four, regardless of race, shall be assigned to Jonesville Elementary School. All children in grades five through eight, regardless of race, shall be assigned to the Jonesville Consolidated School. All children in grades nine through twelve, regardless of race, shall be assigned to Block High School, or in the alternative at the option of the school board, all children in grades five through twelve, regardless of race, be assigned to Block High School and Jonesville Consolidated School - one being an all female school and the other being an all male school.

The Harrisonburg area (Ward Five), all children in grades one through twelve, regardless of race, be assigned to the Harrisonburg High School.

In the Enterprise area, all children in grades one through twelve, regardless of race, be assigned to the Enterprise High School.

In the Manifest area (Ward Four), all children in grades one through eight, regardless of race, be assigned to the Manifest Elementary School.

In the Central High School area, all children in grades one through twelve, regardless of race, be assigned to the Central High School.

III.

TRANSPORTATION

The transportation system will be integrated for the year 1969-70 session to coincide with and implement the plan submitted for integrating the schools for the 1969-70 school session. For the

1970-71 school session, the transportation system will be completely re-organized and integrated to implement the plan of total desegregation of the school system as outlined for the year 1970-71 school session.

IV.

FACULTIES

The faculties of all schools will be fully integrated for the year 1970-71 school session so as to implement the plan adopted as outlined for total desegregation of the schools for the year 1970-71 school session.

V.

TRANSFERS

(a) Majority to Minority Transfer Policy. The defendants shall permit a student (Negro or white) attending a school in which his race is in the majority to choose to attend another school where space is available and where his race is in a minority.

(b) Transfers for Special Needs. Any student who requires a course of study not offered at the school to which he has been assigned may be permitted, upon his written application at the beginning of any school term or semester, to transfer to another school which offers courses for his special needs.

(c) Transfers to Special Classes or Schools. If the defendants operate and maintain special classes or schools for physically handicapped, mentally retarded, or gifted children, the defendants may assign children to such schools or classes on a basis related to the function of the special class or school. In no event shall such assignments be made on the basis of race or color or in a manner which tends to perpetuate a dual school system based on race or color.

VI.

SERVICES, FACILITIES, ACTIVITIES AND PROGRAMS

No student shall be segregated or discriminated against on account of race or color in any service, facility, activity, or program (including transportation, athletics, or other extracurricular activity) that may be conducted or sponsored by the school in which he is enrolled.

A student attending school for the first time on a desegregated basis may not be subject to any disqualification or waiting period for participation in activities and programs, including athletics, which might otherwise apply because he is a transfer or newly assigned student except that such transferees shall be subject to longstanding, non-racially based rules of city, county, or state athletic associations dealing with the eligibility of transfer students for athletic contests. All school use or school-sponsored use of athletic fields, meeting rooms, and all other school related services, facilities, activities, and programs such as commencement exercises and parent-teacher meeting which are open to persons other than enrolled students, shall be open to all persons without regard to race or color. All special educational programs conducted by the defendants shall be conducted without regard to race or color.

VII.

SCHOOL EQUALIZATION

(a) Inferior Schools. In schools heretofore maintained for Negro students, the defendants shall take prompt steps necessary to provide physical facilities, equipment, courses of instruction, and instructional materials of quality equal to that provided in schools previously maintained for white students. Conditions of overcrowding, as determined by pupil-teacher ratios and pupil-classroom ratios shall, to the extent feasible, be distributed evenly between schools formerly maintained for Negro students and those formerly maintained for white students. If for any reason it is not feasible to improve sufficiently any school formerly maintained for Negro students, where such improvement would otherwise be required by this paragraph, such school shall be closed as soon as possible, and students enrolled in the school shall be reassigned. By October of each year, defendants shall report to the Clerk of the Court pupil-teacher ratios, pupil-classroom ratios, and per-pupil expenditures both as to operating and capital improvement costs, and shall outline the steps to be taken and the time within which they shall accomplish the equalization of such schools.

(b) Remedial Programs. The defendants shall provide remedial education programs which permit students attending or who have previously attended segregated schools to overcome past inadequacies in their education.

VIII.

NEW CONSTRUCTION

The defendants, to the extent consistent with the proper operation of the school system as a whole, shall locate any new school and substantially expand any existing schools with the objective of eradicating the vestiges of the dual system.

IX.

FACULTY AND STAFF

(a) Faculty Employment. Race or color shall not be a factor in the hiring, assignment, reassignment, promotion, demotion, or dismissal of teachers and other professional staff members, including student teachers, except that race may be taken into account for the purpose of counteracting or correcting the effect of the segregated assignment of faculty and staff in the dual system. Teachers, principals, and staff members shall be assigned to schools so that the faculty and staff is not composed exclusively of members of one race. Wherever possible, teachers shall be assigned so that more than one teacher of the minority race (white or Negro) shall be on a desegregated faculty.

(b) Dismissals. Teachers and other professional staff members may not be discriminatorily assigned, dismissed, demoted, or passed over for retention, promotion, or rehiring, on the ground of race or color. In any instance where one or more teachers or other professional staff members are to be displaced as a result of desegregation, no staff vacancy in the school system shall be filled through recruitment from outside the system unless no such displaced staff member is qualified to fill the vacancy. If, as a result of desegregation, there is to be a reduction in the total professional staff of the school system, the qualifications of all staff members in the system shall be evaluated in selecting the staff member to be released without consideration of race or color. A report containing any such proposed dismissals, and

the reasons therefor, shall be filed with the Clerk of the Court, serving copies upon opposing counsel, within five (5) days after such dismissal, demotion, etc., as proposed.

(c) Past Assignments. The defendants shall take steps to assign and reassign teachers and other professional staff members to eliminate the effects of the dual school system.

X.

REPORTS TO THE COURT

The defendants shall serve upon opposing counsel and file with the Clerk of the Court within 15 days after the opening of schools for the fall semester of each year, a report setting forth the following information:

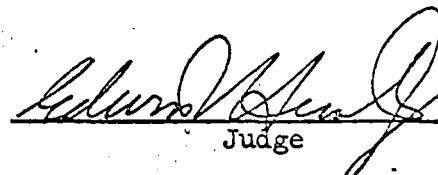
(i) The number of faculty vacancies, by school, that have occurred or been filled by the defendants since the order of this Court or the latest report submitted pursuant to this sub-paragraph. This report shall state the race of the teacher employed to fill each such vacancy and indicate whether such teacher is newly employed or was transferred from within the system. The tabulation of the number of transfers within the system shall indicate the schools from which the transfers were made. The report shall also set forth the number of faculty members of each race assigned to each school for the current year.

(ii) The number of students by race, in each grade of each school.

XI.

The Marshal shall serve each of the defendants herein with a copy of this decree.

THUS DONE AND SIGNED, in Chambers, in Lake Charles, Louisiana, on this the 29th day of July, 1969.


Edward W. G. King
Judge

C E R T I F I C A T E

I certify that a copy of the above decree was served upon
James B. Craven III, Attorney, Civil Rights Division, Department of
Justice, Washington, D. C., prior to filing with this Court.

July 25, 1969.

George Griffing
Assistant District Attorney
Seventh Judicial District
Catahoula Parish, Louisiana

OFFICE OF
THE DISTRICT ATTORNEY
SEVENTH JUDICIAL DISTRICT
CONCORDIA AND CATAHOULA PARISHES

W. C. FALKENHEINER
DISTRICT ATTORNEY
VIDALIA, LOUISIANA
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HARRISONBURG, LOUISIANA
PHONE 744-5232

July 30, 1970

U. S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
FILED

P. O. Box 97
Jonesville, Louisiana 71343

Mr. Alton Curtis, Clerk JUL 31 1970
Federal Court
Western District of Louisiana
United States Court House
Shreveport, Louisiana 71102

Re: United States of America
Vs. Civil Action No. 14430
Catahoula Parish School Board, et al

Dear Mr. Curtis:

Please file the enclosed motion and memorandum for an order amending the school desegregation plan for Catahoula Parish.

Please advise me of the date set by the court to hear this motion and also, please advise opposing counsel listed hereinafter.

If you have any questions, do not hesitate to advise.

Very truly yours,

George Griffing
Assistant District Attorney

GG:mc

Encls.

cc: Department of Justice
Civil Rights Division
Washington, D. C. 20530

United States Attorney
Western District of Louisiana
United States Court House
Shreveport, Louisiana 71102